HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2592 OF 2005.

Sanjay Vithal Patil & Anr. ...Applicants.

V/s.

The State of Maharashtra. ...Respondent

Ms.Madhavi Tavanandi, for applicants.

Mr. A.S.Gadkari, APP for respondent.

CORAM: A.M.KHANWILKAR,J
DATE : APRIL 28, 2005

P.C. :-

1. Heard counsel for the parties. Perused the record.

2. I see no reason to depart from the conclusion reached by the court below in rejecting the bail application preferred by the present applicants. In so far as the present applicants are concerned, I am in agreement with the finding reached by the lower court that specific role has been ascribed to the present applicants by each of the witnesses who have seen them having participated in the commission of the offence. Besides, recovery of weapons at the instances of the applicants have been made.

3. Prosecution case is that there was motive behind incident. For the time being, prosecution case will have to be accepted as it is. Suffice it to observe that the offence in question is a serious offence and that there is ample material to indicate complicity of the applicant in the commission of the offence. Hence not a case for bail. Rejected.

4. As prayer for bail is rejected, Sessions Judge, Kolhapur shall assign the case to the Fast Track Court, if already not assigned, to ensure early disposal of the trial. If the Fast Track court is not available for any reason, the trial court to dispose of the case as expeditiously as possible as "High court expedited case".